IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 26 the day of May 2005
Criminal Misc. Bail Application No. 426/2004
Order on the bail application of accused

CRIMINAL SIDE

Kulvinder Singh S/o Gurcharan Singh
R/o village Mukandpur
P.S. Gadarpur
District Udham Singh Nagar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No. 953 of 2005
U/s 394, 302 I.P.C.
P.S. Rudrapur
District Udham Singh Nagar

Hon'ble J.C.S. Rawat, J.

Heard Sri Ganesh Kandpal learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The name of the applicant was recorded in the F.I.R. on the basis of suspicion. There is a delay of 16 days in lodging the F.I.R. and there is no eye-witness of the incident. The case rests upon the circumstantial evidence. According to the case diary, there is no circumstantial evidence against the applicant. The learned A.G.A. has fairly submitted that there is no incriminating circumstance against the applicant at this stage. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 26.5.2005 (**J.C.S. Rawat, J.**)
LSR